



# BAXTER CITY COUNCIL AGENDA

**Tuesday, August 2, 2016**

The regular meeting of the Baxter City Council will be held on Tuesday, August 2, 2016 at 7:00 p.m. at the Baxter City Hall, 13190 Memorywood Dr., Baxter, MN.

**1. Call Meeting to Order**

**2. Roll Call**

**3. Pledge of Allegiance**

**4. Public Comments**

*Comments received from the public may be placed on a future meeting agenda for consideration.*

**5. Consent Agenda**

*The following items are considered non-controversial by staff and are recommended to be read and passed in one motion. Any council person, staff, citizen, or meeting attendee can request one or more items be pulled from the Consent Agenda and the item will be pulled and addressed immediately after the passage of the Consent Agenda; otherwise, the following items will be passed in one motion:*

- A. Approve City Council Minutes from July 19, 2016 (pp. 3-7).
- B. Approve City Council Work Session Minutes from July 19, 2016 (pp. 8-9).
- C. Approve Special City Council Minutes from July 29, 2016 (pp. 10).
- D. Approve Parks and Trails Commission Minutes from July 5, 2016 (pp. 11-13).
- E. Approve Long Range Planning Commission Minutes from July 5, 2016 (pp. 14-16).
- F. Approve the Payment of Bills and Finance Report (pp. 17-18).
- G. Approve Temporary Gambling License for Hartland Animal Rescue (HART) Fundraising Event on September 10, 2016 (pp. 19).
- H. Approve Revised Job Description for Receptionist/Cashier Position (pp. 20-26).
- I. Approve Special Event Application for MN Adult and Teen Challenge Walk for Hope Event on August 20, 2016 (pp. 27-28).

- J. Authorize Execution of an Assessment Agreement for 15532 Dellwood Drive (pp. 29-33).
- K. Approve Special Event Application for Walk A Mile Event at Mills Ford on August 13<sup>th</sup>, 2016 (pp. 34).
- L. Appoint Ms. Tonya Stangel to the position of Police Administrative Assistant (pp. 35).
- M. Authorize Staff to Execute SBA Memorandum of Antenna Site Agreement for the Fixed Network Water Meter Reading System Project (pp. 36).
- N. Accept \$500.00 Donation from Baxter Lions Club for Minnesota Night to Unite Event (pp. 37).

**6. Pulled Agenda Items**

**7. Other Business**

**8. Council Comments**

- A. Quinn Nystrom
- B. Steve Barrows
- C. Todd Holman
- D. Mark Cross
- E. Darrel Olson

**8. City Administrator's Report**

**9. City Attorney's Report**

**10. Adjourn**

**BAXTER CITY COUNCIL MINUTES**  
**July 19, 2016**

Mayor Darrel Olson, who led in the pledge to the flag, called the regular meeting of the Baxter City Council to order at 7:00 p.m.

COUNCIL MEMBERS PRESENT: Mayor Darrel Olson and Council Members Quinn Nystrom, Steve Barrows, Todd Holman, and Mark Cross.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Interim City Administrator Kelly Steele, Community Development Director Josh Doty, Finance Director Jeremy Vacinek, Police Chief Jim Exsted, and Public Works Director/City Engineer Trevor Walter.

**GUEST PRESENTATION**

Brainerd Rotary Noon Club Representative Rod Osterloh stated the club started 1905 and is the first and largest service club with over 34,000 rotary clubs across the world with 1.2 million members.

Mr. Osterloh explained the Brainerd Rotary Club was chartered on July 8, 1921 and in celebration of the club's 100-year anniversary in five (5) years, members are considering a community project. They are seeking ideas to do a community project in Brainerd/Baxter.

Mayor Olson inquired on the time frame and Mr. Osterloh stated they have a five (5) year window to identify, develop financial, and complete by the centennial. The deadline for the submittal for the project ideas is September 1, 2016.

**PUBLIC COMMENTS**

No public comments were received.

**CONSENT AGENDA**

- A. Approve City Council Minutes from July 5, 2016.
- B. Approve City Council Work Session Minutes from July 5, 2016.
- C. Approve Special Council Minutes from July 7, 2016.
- D. Approve Planning & Zoning Commission Minutes from July 12, 2016.
- E. Approve the Payment of Bills and Finance Report.
- F. Adopt Resolution 2016-064 Accepting Bid for the 2016 Golf Course Drive Improvement Project.
- G. Adopt Resolution 2016-065 Adopting Assessment for the 2016 Golf Course Drive Improvement Project, Municipal Project Number 4110.
- H. Appoint Mr. Steve Karels to the Public Works Lead Maintenance Position and Authorize Staff to Commence the Process to Fill the Public Works Maintenance Position.
- I. Appoint Ms. Angela Hart to Utility Billing Specialist Position and Authorize Staff to Commence the Process to Fill the Receptionist/Cashier Position.
- J. Appoint Mr. Michael Karas to the Seasonal Position of Roadside Mower.
- K. Approve Amendment to Section 37 of the Personnel Policy Regarding Insurance Coverage for Terminated or Retired Employees.

- L. Accept Utilities Commission Special Meeting Minutes of June 22, 2016.
- M. Accept Utilities Commission Meeting Minutes of July 6, 2016.
  1. Approve the Chosen Valley Testing and Schultz Engineering 100-Year Stormwater Management Plan for the Vaughans Townhomes Development.
  2. Approve the Anderson Brothers Partial Pay Estimate No. 1 in the amount of \$106,179.65 for the 2016 Fairview Road Improvements Project.
  3. Approve the Tri-City Paving Change Order No. 1 for a two week extension request for the 2016 Mill and Overlay, Full Depth Reclamation and Right Turn Lane Construction Project.
  4. Approve the TDKA Engineering Proposal for Additional Engineering Services for the Water Meter Replacement Project Construction Administration in the estimated amount of \$9,960.00.
  5. Approve the Ludenia Project for Appraisal Services for Land Acquisition for the Baxter Water Quality Project for the Whiskey Creek Tributary to the Mississippi River in the lump sum amount of \$3,500.00.

**MOTION** by Council Member Cross, seconded by Council Member Barrows to approve the Consent Agenda. Motion carried unanimously.

### **PLANNING AND ZONING ACTIONS**

**Adopt Resolution 2016-066 approving a preliminary and final plat named “First Addition to Vaughans Lots”, and Resolution 2016-067 approving a Conditional Use Permit to allow two principal structures on a lot for two, 4-unit rental buildings located at the Northwest corner of Baxter Lions Road and Art Ward Drive**

Community Development Director Doty reviewed the plat application and condition use permit that would allow the development of two, 4-unit rental buildings on property located near the intersection of Baxter Lions Road and Art Ward Drive. The council had previously reviewed the plat application over one (1) year ago and at that time the site was platted into an outlot until the owners were ready develop the property into lot and block.

There will be one garage stall per unit and property access will line up with the entrance to Baxter Elementary School.

Mr. Doty explained the conditional use permit is needed in order for the property to have two principal buildings on one site. It was noted that the rental units and garages will be similar to other rental properties in the area.

**MOTION** by Council Member Cross, seconded by Council Member Barrows to adopt Resolution 2016-066 approving a preliminary and final plat named “First Addition to Vaughans Lots”, and Resolution 2016-067 approving a Conditional Use Permit to allow two principal structures on a lot for two, 4-unit rental buildings located at the Northwest corner of Baxter Lions Road and Art Ward Drive. Motion carried unanimously.

**Adopt Resolution 2016-068 approving Conditional Use Permit to allow a nonconforming structure on a riparian lot to be expanded and Variances to allow a nonconforming use to be enlarged to occupy a greater area of land and to allow a structure to encroach 17 feet into the required 100-foot setback to the Mississippi River for property located southeast of County Road 48 at 12464 Camwood Trail**

Community Development Director Doty explained the applicant is requesting a conditional use permit to allow a nonconforming structure on a riparian lot to be expanded and variances to allow a nonconforming use to be enlarged to occupy a greater area of land and to allow a structure to encroach 17 feet into the required 100-foot setback to the Mississippi River.

The variance is to allow a nonconforming use to be enlarged to occupy a greater area of land within the required 100 foot setback of the Mississippi River. Mr. Doty stated this property is in an area that is slated for water and sewer in 2017. If the home was currently on city services then the setback would only have to be 75' instead of 100' and would not need the CUP or variances.

**MOTION** by Council Member Cross, seconded by Council Member Barrows to adopt Resolution 2016-068 approving Conditional Use Permit to allow a nonconforming structure on a riparian lot to be expanded and Variances to allow a nonconforming use to be enlarged to occupy a greater area of land and to allow a structure to encroach 17 feet into the required 100-foot setback to the Mississippi River for property located southeast of County Road 48 at 12464 Camwood Trail. Motion carried unanimously.

**Adopt Resolution 2016-069 denying variances to allow a principal single-family structure to encroach 3.3 feet into the required 30-foot rear yard setback and to allow a principal single-family structure to encroach 3 feet into the required 40-foot front yard setback for property located on the south side of Fairfax Court**

Community Development Director Doty explained the applicant is requesting variances to allow a principal single-family structure to encroach 3.3 feet into the required 30-foot rear yard setback and to allow a principal single-family structure to encroach 3 feet into the required 40-foot front yard setback for property located on the south side of Fairfax Court. The applicant is trying to center the home and it does not meet the setback requirements.

Mr. Doty stated the Planning and Zoning Commission recommended denial of the application based on finding of fact.

**MOTION** by Council Member Cross, seconded by Council Member Barrows to adopt Resolution 2016-069 denying variances to allow a principal single-family structure to encroach 3.3 feet into the required 30-foot rear yard setback and to allow a principal single-family structure to encroach 3 feet into the required 40-foot front yard setback for property located on the south side of Fairfax Court. Motion carried unanimously.

**Adopt Resolution 2016-070 approving a Conditional Use Permit for forestland conversion to allow tree clearing on property located between Homestead Drive and Isle Drive**

Community Development Director Doty explained the applicant would like to clear trees and to raise the level of the lot to remove it from the flood plain. A buffer of trees will be maintained and a stormwater pollution prevention plan will be in place.

Mr. Doty stated the conditional use permit is being presented at this time due to FEMA's proposal to revise flood plan map and the applicant would like to raise the level of the lot to remove it from the flood plain.

Both the Utilities Commission and Planning and Zoning Commission have reviewed this request and recommends approval.

Council Member Holman inquired if the wetland delineation has been completed? Mr. Doty stated the green area on the map is wetland, but the applicant is not proposing to fill or cut trees in wetland area.

Council Member Cross inquired if the grading plan will have requirement for water retention? Council Member Cross expressed concern if the lot is filled where does the water go? Mr. Doty stated the City will have to make sure this conversion does not impact neighboring property and staff could add a storage condition to the resolution.

Council Member Holman discussed making a sidewalk condition. City Attorney Person stated it is a condition use permit now but when the property is built it might be an over the counter permit. Mr. Doty stated the parcel is currently an outlot. Council Member Cross stated if we want sidewalk in front of every building then the City needs to create an ordinance so property owners are aware there will be a sidewalk in front of their place.

Council Member Holman stated each individual project needs to have sidewalk/connectivity placement discussion. There needs to be a future work session agenda item soon so staff can adequately add or drop. Mayor Olson stated the City does have a second chance with it being an outlot.

**MOTION** by Council Member Barrows, seconded by Council Member Cross to adopt Resolution 2016-070 approving a Conditional Use Permit for forestland conversion to allow tree clearing on property located between Homestead Drive and Isle Drive contingent on a 100-year stormwater event being retained onsite. Motion carried unanimously.

## **OTHER BUSINESS**

### **City Administrator Hiring Update**

Interim Administrator Steele stated she had been contacted by Mr. Weirs to explain one of the finalists, Mr. Antonen, has removed his name from the list as he has accepted another position.

Mr. Weirs has inquired if the City would like to add another candidate to the interview list. The next candidate was in the top three with two of the council members. There is sufficient time to add another candidate.

Council Member Barrows had no concerns with adding another candidate since there is still time to do background checks. Council Member Cross was fine with the two candidates

**MOTION** by Council Member Barrows, seconded by Council Member Nystrom to add a third candidate to the interview list. Motion carried unanimously.

## **COUNCIL COMMENTS**

Quinn Nystrom: Reminded everyone of the Oscar Kristofferson Park Pavilion Grand Opening on Wednesday night at 6:00 p.m. and hoped everyone comes tomorrow evening.

Steve Barrows: Develop a communication task force to direction to better communicate with our residents with regards to projects like Mill and Overlay. He would like to move forward at a future work session.

Darrel Olson: Reminded staff of the Grand Opening and Night to Unite. He stated the park looks gorgeous and staff has done a great job to prepare for this event. He also stated that information is out there and it will never be perfect.

Todd Holman: The city has come a long way on the Capital Improvements Plan and the city needs to develop the mechanism to do that.

Mark Cross: Agreed with Council Member Barrow and Council Member Holman but stated the city has the plans and have placed it in the quarterly newsletter and website. How many other forms of communication are needed?

**CITY ADMINISTRATOR’S REPORT**

Interim Administrator Steele stated the 2016 Golf Course Drive Project Open House is scheduled for Tuesday, July 26<sup>th</sup> at 6:00 p.m.

**ADJOURNMENT**

**MOTION** by Council Member Barrows, seconded by Council Member Cross to adjourn the meeting at 7:46 p.m. to the Special Meeting on July 28, 2016 at 5:15 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

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Darrel Olson  
Mayor

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Mary Haugen  
Administrative Assistant

**BAXTER CITY COUNCIL MINUTES**  
**Work Session**  
**July 19, 2016**

Mayor Darrel Olson called the Work Session to order at 6:45 p.m.

COUNCIL MEMBERS PRESENT: Mayor Darrel Olson, Council Members Quinn Nystrom, Steve Barrows, Todd Holman, and Mark Cross.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Assistant City Administrator Kelly Steele, Community Development Director Josh Doty, Finance Director Jeremy Vacinek, Police Chief Jim Exsted, and Public Works Director Trevor Walter.

**2016 MILL & OVERLAY PROJECT – DISCUSS OPTIONS FOR 90 DEGREE CURVE ON MAPLEWOOD DRIVE**

WSN Consulting Aric Welch at the July 5<sup>th</sup> workshop meeting discussed the three (3) different options. Mr. Welch gave a brief summary of each option and consensus was to do Option B. The estimated cost of Option B was \$7,700.00 and that amount is built into the contingency fund for the project.

Option B included a shallow swale/ditch that would be constructed behind the curb and water would be directed to the swale through a spillway in the curb & gutter. This option would require some property acquisition and tree removal to complete the required ditching behind the curb. Costs for property acquisition have been estimated and are included in the cost estimate. Construction crews would have to work around a large oak tree and fire hydrant.

Mr. Welch stated that he has not been able to contact one property owner at this time; however, property impact would be minimal. Mr. Welch stated he will work with the homeowner to the get necessary easement.

**OTHER BUSINESS**

Public Work Director/City Engineer Walter inquired on the recent storm event. Mr. Welch stated the heavy rain last Monday was equivalent to a 500 year storm event.

Council Member Holman stated he drove through Forest Drive during the storm and the system was working exceptionally well, yards were holding water as expected with the heavy rains but the roadway did not flood.

**ADJOURNMENT**



**MOTION** by Council Member Barrows, seconded by Council Member Cross to adjourn at 6:50 p.m. Motion carries unanimously.

Approved by:

Respectfully submitted,

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Darrel Olson  
Mayor

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Mary Haugen  
Administrative Assistant

**BAXTER CITY COUNCIL MINUTES**  
**Special Meeting**  
**July 29, 2016**

Mayor Darrel Olson called the Special City Council Meeting to order at 8:30 a.m.

**COUNCIL MEMBERS PRESENT:** Mayor Darrel Olson and Council Members Quinn Nystrom, Steve Barrows, Mark Cross, and Todd Holman.

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** Interim City Administrator Kelly Steele

The Council interviewed Mark Winson and Michael Rietz for the position of city administrator. After deliberating, the council decided to repost the city administrator position in November.

**MOTION** by Council Member Nystrom, seconded by Council Member Cross to adjourn at 1:00 p.m. Motion carries unanimously.

Approved by:

Respectfully submitted,

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Darrel Olson  
Mayor

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Mary Haugen  
Administrative Assistant

**PARKS & TRAILS COMMISSION MINUTES**  
**July 25, 2016**

The regular meeting of the Baxter Parks and Trails Commission was called to order at 4:00 p.m.

**MEMBERS PRESENT:** Chair Jim Kalkofen, Commissioner Mari Holderness, Melissa Barrick, Gail Brecht and Ken Hasskamp

**MEMBERS ABSENT:** Council Liaison Quinn Nystrom

**STAFF PRESENT:** Community Development (CD) Director Josh Doty and Planner Matthew Gindele

**OTHERS PRESENT:** None

**Approval of the Minutes**

A couple of typos were mention prior to the approval of the minutes. Commissioner Holderness stated under the potential park heading that “slop” should have been “slope”. Commissioner Brecht stated that on page two Perch Lake should be changed to Rush Lake.

**MOTION** by Commissioner Hasskamp, seconded by Commissioner Holderness to approve the regular meeting minutes of June 27, 2016 with corrections. Motion carried unanimously.

**Potential City Park Property on Baxter Lake Across from City Hall**

CD Director Doty indicated that staff did take the conversation from this Commission regarding the property donation forward to a City Council workshop. Chair Kalkofen stated there was an article in the paper regarding this land. Staff explained to the Council the ideas presented from this Commission. The Council was in agreement with the Commission that the donation should be considered; however there was no action taken at the workshop being the property owner has a few things left to do before the donation can take place. Once the property owner is ready then it will go back to Council for final approval.

Chair Kalkofen asked if there was a timeframe, CD Director Doty indicated that there has not been a timeframe given at this point. Chair Kalkofen asked that CD Director Doty place a 90 day reminder on his calendar to check on the status of this issue.

**Dog Park and Fitness Equipment**

Planner Gindele provided a memo in the packet regarding these two items as requested by the Commission at the last meeting. He went through the memo with the Commission, noting that one acre seems to be the minimal size for an acceptable urban dog park; fencing, parking and shade from trees or a pavilion were among the highlighted items. The Commission discussed the use of existing parking lots at Southdale Park and whether or not some of the roads around the park would allow off-street parking (Wedgewood/Mt. Ash). Planner Gindele reviewed the remaining items needed for the park and estimated a \$50,000.00 starting point for a dog park. Commissioner Barrick asked if this should be done all at once or can it be done in phases. CD Director Doty and Planner Gindele stated that it could be done in phases or all at once. Commissioner Brecht stated that owners that are passionate about their dog may want to donate to the park in the pets honor/name. Planner Gindele stated that a single donation is how Brainerd financed their dog park. Commissioner Hasskamp asked if Planner Gindele received any numbers of usage from the other city dog park that he spoke eith. Planner Gindele stated that he did ask a few cities, however the cities he called do not keep track. He was told that Brainerd is used frequently. CD Director Doty stated that the location of a dog park needs to really be looked at closely. Staff has to enforce the barking dog regulations, therefore location is really important. CD Director Doty stated that a location has not been study in depth to see if there are any other locations within the city. Chair Kalkofen asked Planner Gindele to take pictures of the former water treatment land to see if there is

enough shade and where a fence could be installed. Chair Kalkofen has seen several dog parks with all different types of materials, including artificial turf.

Planner Gindele moved onto the fitness equipment portion of the memo. He reviewed the different types of equipment with the Commission and the price range for the associated equipment. CD Director Doty stated that on the table is an email from the Northland Arboretum indicating that their trail has a great deal of use. Commissioner Holderness stated that she thinks the equipment will enhance the parks and she would like to explore different locations. CD Director Doty asked if the Commission is looking at one piece of equipment or several, are they geared towards one park or several parks? He indicated that any feedback would be helpful in guiding staff. Commissioner Brecht added that a high traffic park might be a better location, or maybe Riverwood Park would be a better spot where more people may drive to that location to use the equipment. The Commission discussed the use and ages that may use the equipment. Commissioner Barrick asked if this type of equipment would raise the insurance costs for the city. CD Director Doty stated that the parks are covered, however he would have to check the cities liability insurance. Commissioner Barrick asked if there was a count of park use for each park. Staff was not aware of daily use of the parks, however OK and Whipple are heavily used in the summer. The Commission talked about different locations and trails that fitness equipment could potentially be placed. CD Director Doty updated the Commission on the Safe Routes to School grant program. Commissioner Holderness stated she would like to see the fitness equipment stay towards the top of the list if funding becomes available, the Commission agreed.

### **Rotary Centennial Project**

CD Director Doty stated that the Rotary Club is celebrating their centennial and would like ideas put forth for consideration with completion in 2021. CD Director Doty reviewed the application and stated that it seems like it maybe a regional project for this area. There was not any funding numbers applied to the presentation and City Council asked if it is a true “Rotary Club” project or a partnership with the City. The Rotary indicated that it is a project that they would like to have their name on in the end. The Commission looked at the CIP in 2020 and the Whipple Beach Perimeter Trail was mentioned by Commission Brecht. She stated that it could even be named the “Rotary Trail”. Chair Kalkofen stated that he mentioned this application to the fast pitch community. CD Director Doty stated it can be left on the agenda for future discussion.

### **Draft 5 Year CIP**

CD Director Doty stated that there were a few Council retreats that he attended and the discussion generally revolved around how well the City of Baxter is translating the Comprehensive Plan into the CIP to actually accomplish the goals set forth in the Comprehensive Plan. He noted that the City Council moved the 2016 Multi-Modal Design Study from the end of 2016 (lower priority) to top priority in 2017. With that being said, there will be discussion starting this year with feasibility studies. Public process, location studies, why one site over the other and cost were some of the items discussed. Commissioner Brecht asked who would be involved in the pedestrian bridge, CD Director Doty stated the Parks Commission, Long Range Commission, MNDot, and several other entities will be involved. Commissioner Hasskamp asked for a recap of what multi-modal design is, CD Director Doty explained the differences in potential trails being built.

CD Director Doty stated that if the Commission wants the dog park and fitness equipment in the budget for 2017 they should discuss it now. He stated that the Council is going to be discussing the 2017 budget soon. The Commission and staff discussed the different grant possibilities for a few of the trails that need to be completed and discussed the competitiveness of those grants.

Chair Kalkofen asked how much of the 2016 park budget has been spend currently. CD Director Doty stated all of it that he was aware of; Item D was the only one that he thought may not have been done at this time. CD Director Doty stated that he received the Park Dedication Fund balance of \$209,600.00, per the Finance Department. Commissioner Barrick asked if there is a minimum amount of money that needs to be carried forward each year. CD Director Doty stated that staff does think about that every year and making sure that the

money does not dwindle down too much each year. Commissioner Barrick asked what type of a cushion is needed, is it \$100,000.00 or \$200,000.00? The Commission discussed what amount should stay and what projects should be pushed back a few years. Commissioner Brecht and Holderness suggested moving the Jewelwood Park Trail to 2019 for now and adding the dog park and fitness equipment to 2017; the Commission agreed. Chair Kalkofen suggested leaving the CIP on the agenda for next month. CD Director Doty asked if he was to include the dog park and fitness equipment into the budget. The Commission indicated they would like it added for consideration and to determine where the equipment should go into each park.

Commissioner Barrick stated that she met with a consultant at Whipple Beach regarding the sand going onto the playground. The consultant thought \$5,000.00-\$7,000.00 in vegetative plantings to keep the sand would take care of the problem and still allow parents to be able to see their children playing.

### **OK Park Pavilion Event**

CD Director Doty thanked the Commissioners for coming to the grand opening/ribbon cutting ceremony. He stated that it went very well and all of the hot dogs, root beer floats and donated watermelons were consumed.

### **Other Business**

The next scheduled meeting is August 22, 2016 at 4:00 pm.

### **Adjournment**

**MOTION** by Commissioner Hasskamp, seconded by Commissioner Brecht to adjourn the meeting at 5:24 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

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Chair Jim Kalkofen

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Shanna Newman, CD Administrative Assistant

**LONG RANGE PLANNING COMMISSION MEETING**  
**July 25, 2016**

The Long Range Planning Commission meeting was called to order at 6:00 p.m. by Chair Donnay.

MEMBERS PRESENT: Chair Kevin Donnay, Commissioners Cathy Clark, Bob Ryan, Mark Cross and Jim Kalkofen

MEMBERS ABSENT: Commissioner Rock Ylimeini, Lori Rubin and Council Liaison Todd Holman

STAFF PRESENT: Community Development (CD) Director Josh Doty and Planner Matthew Gindele

OTHERS: Judy & Mark Zahn, Craig Reikofski, Myron Rohloff and Kris & Rick Olson

**Approval of Minutes**

Motion by Commissioner Clark, second by Commissioner Ryan to approve the minutes of the June 27, 2016 meetings. Motion carried unanimously.

**Dellwood Planning Area**

Chair Donnay gave the floor to CD Director Doty who explained the zoning process for the Dellwood area. He gave a presentation of the area, history, existing use, access and previous studies of the annexed property in a PowerPoint presentation. CD Director Doty then reviewed the four land use options staff is proposing for this area:

**Land Use Option One**

Land Use Option One is a representation of landowner requests that the Long Range Planning Commission heard at the June 26, 2016 neighborhood meeting. Specifically, low density residential was requested on the north and east sides of the planning area. Commercial and Office was also requested in the north-central portion of the planning area.

CD Director Doty indicated the concern with the piece of property on the cul-de-sac going commercial and being the access point for the property to the north that is owned by the same person. Commercial property does not typically access off a cul-de-sac and it should have access from Pearl Drive or Dellwood Drive.

**Land Use Option Two**

Land Use Option Two includes a representation of the 2008 land use study that was completed. The 2008 Land Use Study included a transition approach to land use, moving from Commercial to Office use, to Low Density Residential. Staff notes that one of the land use recommendations in 2008 was for the land northeast of the north end of Pearl Drive to be either C-1 or Office zoning. Staff notes that a portion of that property was in the City prior to the annexation and is already guided for commercial use and zoned C-2. Therefore, if the City would like to follow the exact land use that was discussed in 2008, the City would need to ultimately rezone the portion of land that is already in the City from C-2 to C-1 or Office Service. Lastly, staff notes that in terms of Land Use, the Long Range Planning Commission should ultimately indicate if the land labeled "O or C1" is intended to be Office or Neighborhood Commercial.

**Land Use Option Three**

Land Use Option Three includes the same residential low density layout as Option 1. However, Option Three includes Commercial land Use for the property north of Pearl Drive and proposes Office Use for the Property North of Mertens Drive. Staff notes that this is option maintains a transition approach to land use but offers more business district property than is offered in Land Use Option number Two. Staff notes that the Comprehensive Plan amendment process does not officially zone property. That action will come after the Comprehensive Plan Update with a separate public hearing. However, staff notes that for the land guided Office under Option 3, an alternate land use could be C-1, Neighborhood Commercial. Staff notes that if Neighborhood Commercial is the desired land use for this property, that the land should be guided commercial and that the public hearing record should indicate that the anticipated future zoning of the property should be C-1.

CD Director Doty took a moment to explain the land use map verses a zoning map.

#### Land Use Option Four

Land Use Option Four includes the same Land Use pattern as Option Three, except that the Office area North of Mertens Drive is shown as Low Density Residential. Staff notes that this option is not the desired land use requested by the property owners. However the land use does provide a more consistent line /separation from commercial to residential land use that exists to the northwest and south of the Planning area. Staff notes that Land Use option Four could be supported if there is concern about having too much commercial depth from State Highway 371.

Staff notes that the depth of higher intensity Commercial Land Use from State Highway 371 should be considered together with the property owner's request for commercial. Therefore, staff would support either Land Use Option Three or Four. Staff recommends that the Long Range Planning Commission review the options and then direct staff to publish and send property notices for an official public hearing at the next Long Range Planning Commission meeting on August 22, 2016.

Chair Donnay asked the Commission if there were any questions for staff. Chair Donnay asked about the cul-de-sac and assumed it was platted residential. CD Director Doty stated that since it was just annexed he was not sure that it was platted, however it appeared to be, he would confirm.

Chair Donnay asked anyone that would like to speak regarding this area to please come forward to the podium. No one came forward to speak.

Commissioner Ryan asked about the hunting aspect. CD Director Doty stated that they were going to talk about the hunting map tonight, however it had to be pulled at this time. He stated that figuring out the zoning would determine the hunting regulations for that area. If it is zoned commercial then hunting would not be allowed, if it is zoned residential hunting could possibly be allowed. CD Director Doty stated the hunting map also had a different request for a separate piece of property and the Inglewood Dr. annexation needs to be determined. He stated that the hunting map will be on the next meeting.

Chair Donnay stated that the transportation piece is something to factor in and asked how commercial traffic would get there. CD Director Doty stated that staff doesn't know when Cypress Dr. will be built, it's not in the 5 year CIP plan. He stated if Cypress was to come through in the backside of the annexed land they may be having a different conversation; however, there is not a time frame for the road to be built. CD Director Doty agreed with Chair Donnay that there are some dead spots such as Pearl Drive. He stated that access does play a part in the land use determination.

Commissioner Ryan stated he would like to see the Commission comment on the commercial options presented by staff. CD Director Doty clarified the commercial locations; however, staff did not label C-1 or C-2 for this

area. Chair Donnay asked Commissioner Ryan if he was looking for the depth of conversation that they had on the last annexation of Inglewood Dr. Commissioner Ryan indicated that he was looking for more specific information on which uses are allowed in the commercial districts. CD Director Doty stated that he can add the list of allowed, interim, and conditional uses for each district at the public hearing/next meeting. CD Director Doty explained some of the residential differences and well as commercial. Commissioner Kalkofen asked how many acres the office piece directly northwest of Mertens Dr. is in Option Three; CD Director Doty stated it was roughly 3.21 acres.

CD Director Doty asked if the Commission is comfortable with the public hearing at the next meeting or if more conversation is needed regarding the options. He stated it would be ideal if staff, the Commission and the neighborhood could come to a conclusion. Commissioner Kalkofen asked for staff to indicate which parcels within the planning area currently have businesses on them and what those businesses are for the next meeting.

CD Director Doty stated that notices of the Public Hearing will be sent to properties within 500 feet of the properties affected by the annexation.

Rick Olson (7889 Whispering Woods Lane) asked if rural is the most country setting verses low density. His son would like to build a modest single family home with a well and septic. CD Director Doty stated that rural is a 5 acre minimum lot and R-1 is only if you have city water and sewer. He stated that Mr. Olson has a few lots, therefore there is a possibility of building a home on a separate lot with well and septic. CD Director Doty stated he would like to research the lots to make sure they are deeded separate lots to make sure it could be built on.

### **Other Business**

The next meeting is scheduled for August 22, 2016 at 6:00 p.m.

### **Adjournment**

Motion by Commissioner Kalkofen, second by Commissioner Cross to adjourn the meeting at 6:50 p.m.

Approved By:

\_\_\_\_\_  
Chair Kevin Donnay

Submitted By:

\_\_\_\_\_  
Shanna Newman  
CD Administrative Assistant



## REQUEST FOR COUNCIL ACTION

August 2, 2016

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**Department Origination:** Administration      **Agenda Section:** Consent

---

**Agenda Item:** Approve Temporary Gambling License for Hartland Animal Rescue (HART)  
Fundraising Event on September 10, 2016

---

**Approval Required:** Simple Majority of Vote of the Council

---

### **BACKGROUND**

HART has applied for a temporary gambling license for their fundraising event at Whipple Beach Recreational Area on September 10, 2016. State statutes and the Baxter City Code allow for the issuance of temporary gambling licenses in connection with a social event within the City.

### **FINANCIAL IMPLICATIONS**

There are no financial implications.

### **STAFF RECOMMENDATION**

Staff recommends the issuance of the temporary gambling license as all requirements for the license have been met.

### **COUNCIL ACTION REQUESTED**

Motion to approve the issuance of a temporary gambling license to HART for a fundraising event on September 10, 2016 at Whipple Beach Recreational Area.

## REQUEST FOR COUNCIL ACTION

08/02/16

---

**Department Approval:** Finance and Administration      **Agenda Section:** Consent  
 Finance Director Vacinek 

**Approval Required:** Simple Majority Vote of the Council

---

**Item Description:** Approve Revised Job Description for Receptionist/Cashier Position

---

### **BACKGROUND**

Earlier this year a number of the city's outdated job descriptions were amended to reflect the current duties of the position, to have a consistent format, and standard language. The job description for the receptionist/cashier position was recently updated in 2014 and was not included in the group that was revised on March 15. With the internal promotions in the finance department and a review of the duties assigned, minor modifications to the job description for the vacant position are recommended to reflect the job duties of the position and provide for a uniform format and standard language.

Attached is a redlined copy of the recommended changes to the receptionist/cashier job description.

### **FINANCIAL IMPLICATIONS**

There are no financial implications with the minor modifications proposed to the job description. The position is included in the 2016 budget.

### **STAFF RECOMMENDATIONS**

Assistant Administrator Steele and Finance Director Vacinek recommend approval of the revised job description. Upon approval, the process to fill the vacant position will commence.

### **COUNCIL ACTION REQUESTED**

Motion to approve the revised job description for the receptionist/cashier position.



## POSITION DESCRIPTION

<b>TITLE:</b>	<b>Receptionist/Cashier</b>
<b>DEPARTMENT:</b>	<b>Finance</b>
<b>SUPERVISOR:</b>	<b>Finance Director <u>and/or Assistant Finance Director</u></b>
<b>STATUS:</b>	<b>Full-time/Non-Exempt/Union</b>

### PRIMARY OBJECTIVE OF POSITION

~~Provides~~ Emphasize a customer-friendly, helpful approach in serving, greeting, and directing callers, guests, and staff. The position includes substantial organizational and community contact through personal, phone, and email contact, which requires the highest degree of tact, courtesy, and sound judgment. ~~Works independently, with limited supervision and direction of the Finance Director.~~ Performs skilled clerical work involving cash receipting, accounts receivable, and utility billing and related duties as required.

### ESSENTIAL JOB FUNCTIONS

The essential job functions listed below are intended to describe the various types of work that may be performed. The omission of other duties not listed does not exclude them if the work is similar, related or a logical assignment to the position.

#### Receptionist Duties

1. Acts as primary receptionist for City Hall, provides assistance to callers and guests and refers and directs them to appropriate persons or departments in a courteous, tactful and professional manner to project a favorable image of the City.
2. Answers routine questions pertaining to City services and programs. Problem solves public questions or concerns and routes non-routine problems or concerns to appropriate departments or individuals for resolution.
3. ~~Processes~~ Sells animal licenses, maintains list and updates for police department and outside agencies, collects impound fees for animal control.
4. Schedules ~~Takes~~ reservations for city park pavilions/facilities; maintains reservation files.
5. ~~Responsible for making correct change from cash drawer.~~
6. ~~Stamps and receipts checks for deposit.~~
7. ~~Communicates with outside field employees via radio, telephone, and other means.~~

8. Picks up mail from post office substation, ~~sorts and delivers to the various departments.~~ prepares mail to be sent on time and accurately, ~~takes mail at the end of day~~ to postal drop, and maintains postage meter.
9. Develops and implements a system of ordering office supplies and postage that promotes cost savings and efficiency within the organization.
10. ~~Maintains pop machine inventory and prepares deposit.~~ Communicates with vending company regarding vending machine issues and deposits vending fund receipts.
11. Maintains staff out of office calendar online and in Outlook software ~~for staff.~~
12. Forwards general City Hall email to appropriate city staff or departments.

### **Cashier, Utility Billing, and Accounting Duties**

13. Assists customers/citizens at the counter, accepts payments, provides correct change, prepares receipts, answers questions, provides information, and provides other assistance as needed.
14. Prepares and maintains updated record of payments.
15. Maintains the cash drawer ~~and petty cash~~, balances daily against receipts, prepares deposits and delivers to the bank.
16. Enters ~~all~~ receipts into accounting point of sale software.
17. Prepares accounts payable (A/P) invoices for distribution to departments for approval, reviews statements for accuracy.
18. Prepares accounts payable spreadsheet for coding of utility vendor invoices and other vendors with invoices coded to multiple departments.
19. Assists staff with essential municipal finance functions.
20. Reconciles A/P checks and other disbursements with invoices, mails checks, and maintains A/P filing system.
21. ~~Reconciles monthly credit card statements and invoices.~~
22. Prepares and mails accounts receivable (A/R) invoices, ~~including public works excavation permits.~~
23. ~~Distributes employee payroll checks and prepares for mailing, if applicable.~~
24. Assists Utility Billing Specialist with daily utility billing receipts and meter reading entry.

25. Assists Utility Billing Specialist with utility bills, reviews for accuracy, separates and mails in a timely manner.
26. Initially discusses billing matters with customers and refers complaints and other utility business matters to Utility Billing Specialist. ~~Calculates prepayment and delinquent payment arrangements.~~
27. May assist Utility Billing Specialist by setting up new accounts in billing software, processing ownership change of services, requesting work orders when needed, and following up on meter changes, meter reading problems, etc.
28. Tracks monthly recurring receipts, such as COBRA payments, motor vehicle excise tax, lodging tax, and tower leases; calculates and prepares associated check requests.
29. Tracks police forfeiture receipts and prepares check requests when disbursement is authorized.
30. Assists the building inspection department with permit processing and disbursing, scheduling, inspections, etc.
31. ~~Assists staff with essential municipal finance functions.~~
32. ~~Performs~~ Assists with other office duties as assigned by the supervisor or apparent Finance Director and/or designee.

<b>KNOWLEDGE, SKILLS AND ABILITIES</b>
--

1. Knowledge of the standards and methods of customer account maintenance using an automated accounting system.
2. Knowledge of automated billing and cash receipting systems, practices, and procedures.
3. Skill in operating office equipment including operation of automated utility billing and cash receipting systems, word processing, and spreadsheet programs.
4. Ability to type and enter information with speed and accuracy.
5. Ability to maintain accurate records.
6. Ability to operate a multi-line telephone, ~~and radio~~ fax, and email.
7. Knowledge of City services, operations, and procedures.
8. Knowledge of City ordinances ~~and generally accepted standards related to financial reporting and record keeping.~~

9. ~~Knowledge of accounting/bookkeeping practices and procedures.~~ Knowledge of accounting practices and procedures, including Generally Accepted Accounting Principles (GAAP) and Governmental Standards Board (GASB) rules and regulations.
10. Knowledge of billing practices and records maintenance.
11. Ability to perform mathematical calculations, detect errors, analyze financial data and balance accounts.
12. Ability to prepare detailed financial reports and maintain accurate records.
13. Ability to make decisions in accordance with established policies and procedures.
14. Ability to be flexible and adapt to changing priorities and assignments.
15. Ability to work cooperatively with all city employees towards the common goal of providing high quality services.
16. Ability to communicate effectively and tactfully, both orally and in writing with the supervisor, city employees, and the city's customers.
17. Ability to manage multiple assignments and priorities to ensure the fulfillment of projects, tasks, and responsibilities.
18. ~~Ability to work cooperatively with all city employees towards the common goal of providing high quality services.~~
19. Ability to demonstrate a commitment to provide and require excellent customer service through cooperative team and individual efforts.
20. Ability to provide suggestions, advice and support to supervisor, other city employees, and the city's customers.
21. Ability to exhibit excellent interpersonal and human relationship skills.
22. Ability to assist fellow employees with developing and implementing programs and objectives to improve departmental and city-wide efficiency.
23. Exhibits behavior consistent with the mission, vision and values of the City of Baxter.
24. Furthers the mission, vision and values of the city through excellent customer service, creative problem solving, decision-making, and stewardship of city resources.
25. Ability to work both independently and within a team.

## **PHYSICAL REQUIREMENTS**

~~Work is performed primarily in a standard office environment that includes exposure to computer screens. Primary functions require sufficient physical ability and mobility to work in an office setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift, carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a computer keyboard; and to verbally communicate to exchange information. (moved to section at end for consistency with other job descriptions)~~

## **REQUIRED QUALIFICATIONS**

1. Two Year post-secondary degree in accounting or closely related field.
2. Two years of clerical experience, including data entry, spreadsheet, word-processing and billing or accounts receivable software.
3. Working knowledge of general accounting procedures and strong mathematical aptitude.
4. Any combination of education and experience that provides equivalent knowledge, skills, and abilities will be considered.
5. Demonstrated proficiency with Microsoft Office products.
6. Valid Minnesota driver's license with no suspensions or revocations within three years by date of hire.

## **DESIRED QUALIFICATIONS**

1. Governmental fund accounting experience.
2. ~~Municipal government experience.~~
3. Two years of experience in computerized accounting systems.

## **PHYSICAL REQUIREMENTS**

These physical demands are representative of the physical requirements necessary for an employee to successfully perform the essential functions of the job. Reasonable accommodation can be made to enable people with disabilities to perform the described essential functions.

Work is performed primarily in a standard office environment that includes exposure to computer screens. Primary functions require sufficient physical ability and mobility to work in an office setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift, carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a computer keyboard; and to verbally communicate to exchange information. Working ability to lift books and drawers weighing up to 20 pounds.

*It is the policy of the City of Baxter to provide equal employment opportunities to all persons. All employment policies and practices shall be non-discriminatory in compliance with federal laws, state statute, and local ordinances.*

Revised June 20, 2016



## REQUEST FOR COUNCIL ACTION

August 2, 2015

**Department Origination:** Police

**Agenda Section:** Consent

**Agenda Item:** Approve Special Event Application for MN Adult & Teen Challenge Walk For Hope Special Event on August 20

**Approval Required:** Simple Majority of Vote of the Council

### **BACKGROUND**

This will be the fifth year for this event in Baxter. The date this year will be Saturday, August 20<sup>th</sup>. The venue and route will be the same as the previous two events.

The event is now run out of the Heritage Assemblies of God Church on Berrywood Dr. The event is a combination 5K walk and run. The route will take the participants west on College Rd, south on Evergreen Dr, back to the east on Highland Scenic Dr, and then back to the church on Berrywood Dr.

There is also a shorter walking route that travels through the industrial park area.

Activities will start around 8 a.m. and run through noon. Our involvement will be with the race which will take place from about 8:30- 10:00 am.

For the proposed route we will be looking to close off a section of Berrywood Dr. between College Rd. and Hinckley Rd. This closure would be for just over two hours ending around 11 a.m. This will affect a few residences and the city park. Notification will be sent to those homes affected.

The applicant has requested extra patrol in the area along with the use of our message board. In addition they have obtained several additional road signs from Crow Wing County. These signs will provide extra visibility around the course.

The event was successful last year using this same route and similar plan. They estimate participation anywhere from 500-600 participants. For that reason we are looking to do the road closure to help with safety around the church due to the significant number of participants.

### **FINANCIAL IMPLICATIONS**

The police department is not anticipating any additional costs. We will staff this with on-duty officers, no overtime needed.

**STAFF RECOMMENDATION**

Staff recommends the approval of the special event application


**MOTION**

Motion to approve the special event application for the MN Adult and Teen Challenge Walk for Hope Event on August 20<sup>th</sup>.

## REQUEST FOR COUNCIL ACTION

08/02/16

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**Department Approval:** Finance Director Vacinek 

**Agenda Section:** Consent

**Approval Required:** Simple Majority Vote of the Council

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**Item Description:** Authorize Execution of an Assessment Agreement for 15532 Dellwood Drive

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### **BACKGROUND**

The 2015 Dellwood/Novotny Improvement project provided utility and street improvements to the subject parcel located on Dellwood Drive. At the time of the improvements and subsequent special assessment certification, the parcel was not located with the City of Baxter. As a result, a future connection charge was recorded against the parcel until such time the parcel was annexed into the city and required to connect to city water and sanitary sewer. With the parcel now annexed into the city, connection must occur within one year or by March 2017.

The property currently contains a residential structure and storage buildings used for a construction-related business. The property owner, Craig Reikofski, has requested the city defer the connection requirement because of the future potential commercial redevelopment of the property which would be a higher and better use for the parcel. In exchange for the consideration, Mr. Reikofski has agreed to the attached agreement to convert the future connection charge to a special assessment for collection with the property taxes beginning in 2017 under the same terms the improvement project's original assessments were certified. In addition, non-user fees will be charged until the connection occurs.

In view of the parcel's higher and better use will occur when it is developed commercially that will require the potential removal and reconstruction of the lateral service lines, it is prudent to delay the required connection until redevelopment occurs for a limited time, comparable to arrangements the city has made in other similar situations. The agreement requires the owner to connect to city water and sanitary sewer at the earliest of: 1) on or before August 1, 2021, 2) prior to the sale or transfer of the parcel to another party, 3) prior to the issuance of any new building permits for the structures on the parcel other than building permits for routine maintenance of the existing structures or 4) prior to a commercial redevelopment to the parcel.

### **FINANCIAL IMPLICATIONS**

The special assessment, comprising of the deferred future connection charge and accrued interest, will be assessed over the remaining 11 years of the original assessment term, matching the 2027 end date of previously certified special assessments. When collected, the new assessment principal and interest revenue will be deposited in the designated 2015 G.O. Improvement Bonds debt service account to finance the repayment of the bond principal and interest, similar to other assessments on the project pledged toward the retirement of the associated debt. Collecting the assessment reduces the need for the city to cover the debt service payments with other revenue sources during the bond repayment period.

Per the city's fee schedule, the property owner has already paid the assessment recertification fee to offset the administrative cost of preparing and recording the agreements. Non-user fees will be charged until connection occurs to offset a portion of the city's operating costs in the water and sewer enterprises.

**STAFF RECOMMENDATION**

Finance Director Vacinek recommends approval of the attached assessment agreement with Craig Reikofski at 15532 Dellwood Drive to facilitate the utility connection and collection of the outstanding deferred connection charge, per the terms of the original assessment.

**COUNCIL ACTION REQUESTED**

Motion to authorize execution of the attached assessment agreement for 15532 Dellwood Drive

## ASSESSMENT AGREEMENT

**THIS AGREEMENT**, made and entered into this \_\_\_ day of \_\_\_\_\_, 2016, by and between the City of Baxter, party of the first part, hereinafter referred to as the “City”, and Craig Reikofski, party of the second part, hereinafter referred to as “Owner”.

**WITNESSETH:**

**WHEREAS**, Owner is the owner of the property located at 15532 Dellwood Drive in the City of Baxter, Crow Wing County, Minnesota, Tax Parcel 030322300C00009, hereinafter referred to as “Parcel”, and legally described as:

That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ -NW $\frac{1}{4}$ ), Section 32, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Beginning at the southwest corner of said NW $\frac{1}{4}$ ; thence North 01 degree 17 minutes 49 seconds East, assumed bearing, 278.56 feet along the west line of said NW $\frac{1}{4}$ ; thence South 89 degrees 54 minutes 52 seconds East 622.58 feet; thence South 01 degree 17 minutes 49 seconds West 278.56 feet to the South line of said NW $\frac{1}{4}$ ; thence North 89 degrees 54 minutes 52 seconds West 622.58 feet along said south line of the NW $\frac{1}{4}$ , to the point of beginning.

EXCEPT that portion of the above described property described as follows: Beginning at the West Quarter corner of said Section 32; thence North 01 degree 07 minutes 41 seconds East, bearing based on the City of Baxter Coordinate Database, 278.56 feet, along said west line of the SW $\frac{1}{4}$ -NW $\frac{1}{4}$ , to the north line of the above described tract; thence North 89 degrees 55 minutes 00 seconds East 23.18 feet along the north line of the above described tract; thence South 00 degrees 53 minutes 34 seconds East 278.53 feet to the northeast corner of the West 33.00 feet of the Northwest Quarter of the Southwest Quarter NW $\frac{1}{4}$ -SW $\frac{1}{4}$ , said Section 32; thence South 89 degrees 55 minutes 51 seconds West 33.01 feet along the south line of said SW $\frac{1}{4}$ -NW $\frac{1}{4}$ , to the point of beginning.

**WHEREAS**, the City completed street and utility improvements to Dellwood Drive in 2015, hereinafter referred to as “Public Improvements” benefiting the Parcel when the Parcel was outside the city limits and the City provided notices to the Owner of the Public Improvements and associated costs to be deferred, hereinafter referred to as “Future Connection Charge”.

**WHEREAS**, a Notice of Future Connection Charge was executed on September 14, 2015 and said Future Connection Charge was filed against the Parcel with Crow Wing County on March 10, 2016 as Document No. 871135 for the Public Improvements.

**WHEREAS**, the outstanding Future Connection Charge is \$19,744.85 plus capitalized interest of \$902.71 and the City has the authority to assess the connection charge to the Parcel.

**WHEREAS**, said Parcel was annexed to the City on March 21, 2016 and City ordinances require connection to city water and sewer services within one year, or prior to March 21, 2017.

**WHEREAS**, City notified Owner of requirement to connect to city utilities on April 8, 2016 and at the time of connection the outstanding Future Connection Charge with accrued interest and applicable city connection fees, including water and sewer availability charges will be due in full.

**WHEREAS**, the Owner has obtained a contractor bid for \$21,610 to connect to City water and sanitary sewer utilities, hereinafter referred to as “Private Connection Costs”, and this cost does not include all city connection fees, availability charges, and ancillary landscaping costs.

**WHEREAS**, the Private Connection Costs are above average and the highest and best use of said Parcel is to redevelop by removing the residence and redeveloping as a commercial use and the Owner has requested the City postpone the requirement to connect to City utilities by March 21, 2017, but hereby agrees to a voluntary assessment of \$20,647.56 for the Future Connection Charge on the Parcel.

**WHEREAS**, the parties would like to agree on an eventual connection to City services and payment of the Future Connection Charge.

**WHEREAS**, the Owner will pay to the City the \$300 assessment recertification fee for the conversion of the Future Connection Charge to a special assessment.

**NOW, THEREFORE, IT IS HEREBY AGREED** by and between the parties hereto as follows:

- 1) Owner hereby agrees to hire a Contractor to connect the structures on the Parcel to city water and sanitary sewer per City Code, with completion of the utility connections occurring: 1) on or before August 1, 2021, 2) prior to the sale or transfer of the Parcel to another party, 3) prior to the issuance of any new building permits for the structures on the Parcel other than building permits for routine maintenance of the existing structures or 4) prior to a commercial redevelopment to the Parcel, whichever occurs first. Owner also acknowledges that any turf or landscaping restoration needed after this work is completed is the sole responsibility of the Owner. Owner also agrees to be responsible for the restoration, per city specifications, of any city right-of-way disturbed by the construction of this connection either through the Contractor’s bid or directly by the Owner.
- 2) Owner agrees to pay a \$300 assessment recertification fee upon execution of this agreement and monthly non-user utility charges starting in March 2017 until connection occurs. Non-user utility charges are in lieu of the monthly water and sewer consumption charges necessary to support the City utility systems and similarly are charged to other parcels not connected to City utilities when City utilities are available.
- 3) Owner hereby agrees as a requirement to the extension of the time allowed to connect to city utilities to pay, in addition to the actual monthly utility bill identified in paragraph two above, an assessment of \$20,647.56, comprising of the \$19,744.85 original Future Connection Charge and capitalized interest of \$902.71 on the Parcel. The assessment shall be paid over eleven years, beginning in 2017, with interest accruing at 3.50% annually.
- 4) The City is hereby authorized to certify the assessment to the County Auditor for collection against the real estate along with property taxes at the interest rates set forth in paragraph three above. This certification may be done by the City without further notice or consent of the Owner.

- 5) Owner hereby agrees and understands other City connection charges, including water and sewer availability charges (WAC and SAC) and the Private Connection Costs are not included in the assessment identified in paragraph three above. These charges will be due and collected at the time of connection to City water and sanitary sewer.
- 6) This Agreement is a covenant and agreement which shall run with the land and bind the heirs, successors and assigns of the parties hereto as fully as the parties themselves are bound.

**IN WITNESS WHEREOF**, the parties hereto have hereunto set their hands the day and year first written.

CITY OF BAXTER:

By: \_\_\_\_\_  
Darrel L. Olson  
Its Mayor

Attest: \_\_\_\_\_  
Kelly Steele  
Its Asst. City Administrator/Clerk

STATE OF MINNESOTA        )  
  )ss.  
COUNTY OF CROW WING    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by Darrel Olson and Kelly Steele, the Mayor and Asst. City Administrator/Clerk of the City of Baxter, a municipal corporation under the laws of Minnesota, on behalf of the corporation.

\_\_\_\_\_  
Notary Public

OWNER:

By: \_\_\_\_\_  
Craig Reikofski

STATE OF MINNESOTA        )  
  )ss.  
COUNTY OF CROW WING    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Craig Reikofski.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT WAS DRAFTED BY AND RETURN TO:  
City of Baxter  
PO Box 2626  
13190 Memorywood Drive  
Baxter, MN 56425  
218.454.5100

## REQUEST FOR COUNCIL ACTION

August 2, 2016

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**Department Origination:** Police

**Agenda Section:** Consent

---

**Agenda Item:** Approve Special Event Application for Walk a Mile Special Event at Mills Ford on August 13, 2016

---

**Approval Required:** Simple Majority of Vote of the Council

---

### **BACKGROUND**

For several years now the Mills Ford store has been the host to the Walk a Mile In Her Shoes event. The event helps to raise awareness and financial support in the fight against the problem of domestic abuse.

The event this year will be held on Saturday, August 13<sup>th</sup>. The event usually runs from about 9 a.m. until 11 a.m. The event includes a walk that is held on Edgewood Drive.

The city has closed a section of Edgewood Drive each year for this event. The road is closed at Woida Road on the north end and then at the north entrance to Target. No notifications need to be made as the only properties affected are the Mills businesses involved in the event and both have access from Golf Course Drive.

Attendance for the event will be several hundred people. The event has been very successful in previous years with no complaints or issues.

### **FINANCIAL IMPLICATIONS**

No financial implications

### **STAFF RECOMMENDATION**

Staff is recommending approval for the special event application request.

### **COUNCIL ACTION REQUESTED**

Motion to approve the special event application for the Walk a Mile event at Mills Ford on Saturday, August 13<sup>th</sup>.



## REQUEST FOR COUNCIL ACTION

August 2, 2016

---

**Department Origination:** Administration and Public Works      **Agenda Section:** Consent

---

**Agenda Item:** Appoint Ms. Tonya Stangel to the Position of Police Administrative Assistant

---

**Approval Required:** Simple Majority of Vote of the Council

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### **BACKGROUND**

Due to a recent retirement in the Police Department, the administrative assistant position became available. The AFSCME position opening was posted internally; no internal application were received. The position was posted externally and 26 applications were received. Interviews were conducted and the finalist for the position is Tonya Stangel. Ms. Stangel is currently employed in an identical position with Mille Lacs Tribal Police Department. Ms. Stangel is a very strong candidate who fit the job description and has passed a background check completed by our police department.

### **FINANCIAL IMPLICATIONS**

There are no additional financial implications with the new hire of Administrative Assistant as the position was included previously in the 2016 budget. There will be a short overlap when we will be paying both parties as we work through training but that will be offset by the reduced wage of the new employee.

### **STAFF RECOMMENDATIONS**

Assistant Administrator Steele and Police Chief Exsted recommend the appointment of Ms. Tonya Stangel to the police administrative assistant position at Step 4 of the AFSCME pay grade schedule.

### **COUNCIL ACTION REQUESTED**

Motion to appoint Ms. Tonya Stangel to the police administrative assistant position.

## REQUEST FOR COUNCIL ACTION

08.02.2016

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**Department Origination:** IT; Finance

**Agenda Section:** Consent

---

**Agenda Item:** Authorize Staff to Execute SBA Memorandum of Antenna Site Agreement for the Fixed Network Water Meter Reading System Project

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**Approval Required:** Simple Majority of Vote of the Council

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### **BACKGROUND**

As part of the Fixed Network Water Reading System Project, a data collector is proposed to be installed on the cell tower located near the City's public works facility at 6074 Mapleton Road. The original lease agreement with SBA (Sprint) contains language to allow the City to install Advanced Metering Infrastructure (AMI) equipment on the tower; however, SBA requires an additional agreement which spells out additional terms and installation requirements. The agreement is currently undergoing legal review and staff expects to execute the agreement in the near future to allow work to proceed as soon as possible.

### **FINANCIAL IMPLICATIONS**

SBA will collect a nominal \$1 fee upfront for the entire term of the lease. The City will also incur incidental charges for the legal review, to be included as part of the total AMI project cost.

### **STAFF RECOMMENDATIONS**

Staff recommends authorizing staff to execute the SBA Memorandum of Antenna Site Agreement for the Fixed Network Water Meter Reading System Project

### **COUNCIL ACTION REQUESTED**

**MOTION** to Authorize Staff to Execute SBA Memorandum of Antenna Site Agreement for the Fixed Network Water Meter Reading System Project

## REQUEST FOR COUNCIL ACTION

August 2, 2016

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**Department Origination:** Police

**Agenda Section:** Consent

---

**Agenda Item:** Accept \$500.00 Donation from Baxter Lions Club for Minnesota Night to Unite Event.

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**Approval Required:** Simple Majority of Vote of the Council

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### **BACKGROUND**

The Baxter Police Department once again hosted our Minnesota Night To Unite event on August 4<sup>th</sup>, 2016. The Baxter Lions Club continue to be a great partner in this event and have once again stepped forward with a \$500.00 donation to the activities and costs associated with the event. They were also an active partner volunteering hours the night of the event.

### **FINANCIAL IMPLICATIONS**

None.

### **STAFF RECOMMENDATION**

Staff recommends acceptance of the \$500.00 from Baxter Lions Club for the Minnesota Night to Unite event on August 4, 2016.

### **COUNCIL ACTION REQUESTED**

Motion to accept the \$500.00 donation from Baxter Lions Club to be used for the 2016 Minnesota Night to Unite event.